

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-345-2024
Date of Decision:04.03.2024

Shiv Kumar Bagolia and Others
Vs.
State of Punjab and Others

.....Petitioners

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Munish Gupta, Advocate
for the petitioners.

Mr. Madhur Sharma, DAG, Punjab.

Mr. Akash Mehta, Advocate
for respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0197 dated 07.06.2023 registered under Sections 406, 420, 477, 120-B of the IPC registered at Police Station Sohana, District SAS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 20.12.2023 (Annexure P-2).

2. This Court vide order dated 08.01.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 25.01.2024 to the effect that the compromise has been effected

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between the parties voluntarily and without any coercion or undue influence.

4. Statement of Respondent No.2- complainant, namely, Kanisth Ganeriwala with regard to compromise was recorded before learned Magistrate on 23.01.2024.

5. Learned State counsel as well as learned counsel for respondent Nos.2 & 3 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

7. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.0197 dated 07.06.2023 registered under Sections 406, 420, 477, 120-B of the IPC registered at Police Station Sohana, District SAS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 20.12.2023 (Annexure P-2), are quashed *qua* the petitioners.

March 04, 2024
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No